

From: D C
To: Microsoft ATR
Date: 11/19/01 11:34am
Subject: Anti-trust misused

I'm sure you are getting a bunch of comments from people who do not like Microsoft and wanted you to bury them. Me I do not particularly care for Microsoft either, but as an American who has lived overseas and seen the harm that a competition based instead of customer based Anti-trust law can inflict, I wonder if we are not slipping into wrong mold.

Anti trust law is supposed to be about protecting consumers not competitors. Hey Microsoft might not produce a perfect product; but neither does anyone else.

Consumers will not be harmed until Microsoft begins gouging them with higher prices. They have not been harmed and neither has competition. Here are some real Antitrust issues:

I do not see you going after Mobile who pulled the lic from their biggest supplier in Nebraska (an independent) because he would not sell only Mobile (35% of his business). Here's another one for you. My own phone supplier Quest is dragging its feet upgrading the CO's and relocating them waiting until the competition is out of business so they do not have to give away market share and compete. They refused to upgrade my local CO (central Office) so I could get DSL from a competitor but parts of the CO that are used by their customers are DSL compliant. Here's another real monopoly...Cable modem internet access. Why don't the cable companies have to release their lines for the internet the same way that AT&T had to for long distance. Here's another one...I live in Minneapolis. Northwest has 85% of the gates. Why does it cost me \$300 more to fly northwest from Minneapolis to Denver for Thanksgiving than it does to fly from Chicago to Denver on Northwest? (I checked...airport fees are higher in Chicago and ridership is comparable)Now that is gouging customers because you have a monopoly.

Back to this case...
People do have choices in operating systems and software. Amazon just made a big splash about how much

money they save my going to Linux. I use IBM dos for a lot of my floppy's for boot disks and batch programs. And I still use Netscape as a browser and Wordperfect for word processing, even on my Windows operating systems. UNIX is not about to go out of business and neither is Apple or Java. But even if they do, someone else will take their place.

How does giving software away for free hurt consumers?

Just because I no longer have to pay for Netscape doesn't hurt me as a consumer in the slightest. In fact it helps keep costs down. And who the hell ever asked for a dos based PC OS like Java anyway. If they lose out because their interface is harder to use than the GUI provided by windows and Apple, tough for them. They made a losing bet. We need to remove our concern for competition and competitive companies from the equation unless we can prove that customers are being gouged.

Netscape had several options that it chose not to pursue:

1. They could have taken Gate's offer to buy their company and make them the Internet browser of the future. But no they just wanted Gates and customers to pay too much for a browser. So Microsoft invented their own. If they had sold out, their stock holders would be much better off today too.
2. They could have chosen to build a better operating system and compete with Gates and company. There are plenty of anti-microsoft techies out there who would love nothing better.
3. They could have started giving away their browser at a lower cost making it economically unfeasible to develop a competing product. Did they really think that Gates would go to all the trouble and legal/management expense of trying to buy their company and then not go after another solution? duh?
4. They could have aggressively marketed to the public the benefits of their product over Microsoft and they might still be selling a browser because there are people out there like me who would gladly pay for the increased functionality of their product.

PS...you could just as easily substitute Word Perfect here. They chose foolishly and paid the price.

THE REAL LAW:

If Microsoft decided to build an operating system that

would only work with Microsoft software...it would be perfectly legal. But of course, this will not happen because every person and company I know needs and uses products that are not Microsoft. If they did something this stupid their market share and stock price would drop like a rock.

THE REAL TRUTH:

If Gates had given a little more money to the political parties who saw him giving away billions to charity adn got jealous and wanted more of the pie...this whole law suit would probably ahve disappeared like a fart in the wind.

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